

wavelength of 436 nm, an i-line with a wavelength of 365 nm, and a KrF excimer laser with a wavelength of 248 nm have been adopted as exposure light sources for lithography used in the manufacture of a semiconductor. Thus, the wavelength has become shorter year by year. An ArF excimer laser having a wavelength of 193 nm is considered to be promising as a next-generation exposure light source.--

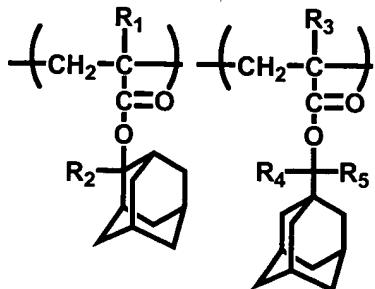
IN THE CLAIMS:

Please cancel claim 4 without prejudice or disclaimer of the subject matter contained therein.

Please amend the claims as follows:

1. A chemically amplifying type positive resist composition comprising

(A) a resin which has at least one polymerization unit selected from those represented by the following formula (IIa) or (IIb):

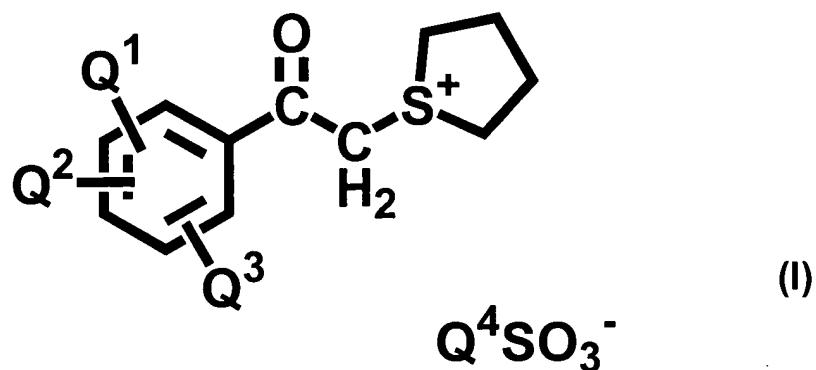


(IIa)

(IIb)

wherein R<sub>1</sub> and R<sub>3</sub> represent hydrogen or methyl, and R<sub>2</sub>, R<sub>4</sub> and R<sub>5</sub> represent alkyl; and which, per se, is insoluble or slightly soluble in alkali but becomes soluble in alkali by the action of an acid; and

(B) a sulfonium salt acid generating agent represented by the following formula (I):



wherein Q<sup>1</sup>, Q<sup>2</sup> and Q<sup>3</sup> independently represent hydrogen, hydroxyl, alkyl having 1 to 6 carbon atoms or alkoxy having 1 to 6 carbon atoms; and Q<sup>4</sup> represents perfluoroalkyl which may have a cyclic structure.

6. The positive resist composition according to claim 1 wherein 20% by mole or more of the polymerization unit of the resin is represented by the formulae (IIa) or (IIb).

Please add the following claims:

--7. The positive resist composition according to claim 1 wherein the polymerization unit of the resin is represented by the formulae (IIa).

8. The positive resist composition according to claim 1 wherein R<sub>2</sub> represents alkyl having one to eight carbon atoms.

9. The positive resist composition according to claim 1 wherein R<sub>2</sub> represents a member selected from the group consisting of methyl, ethyl, propyl, isopropyl and butyl.

10. The positive resist composition according to claim 1 wherein R<sub>2</sub> represents ethyl.

11. The positive resist composition according to claim 1 wherein the polymerization unit of the resin is represented by the formulae (IIb).--